

Congress of the United States
House of Representatives
Washington, DC 20515-0301

1056

December 6, 2017

The Honorable Ajit Pai
Chairman
The Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Chairman Pai,

On behalf of the Native American communities across Arizona, I would like to strenuously object to your decision to make significant changes to the Tribal Lands Lifeline (TLL) program. As you know, TLL is an affordability program designed and implemented to encourage those without communication services to initiate service and to allow households to maintain that service. Any other goals of the program are secondary to ensuring affordability for qualifying residents of tribal lands.

The process by which this decision was reached is deeply troubling. I would like to recognize that the FCC has a strong history of taking tribal consultations seriously and using them regularly. It is disconcerting this most recent action was taken without any consultation with the affected tribes or having an open and informed dialogue about the impact of these changes to communities across the country.

Mr. Chairman, you are mandated by EO 13175 to consult with Indian tribal governments when considering policies that would impact tribal communities. It is my fervent hope your chairmanship will be marked by an increased role for Native Americans in the FCC decision making process.

In the future, I encourage you to utilize me as a liaison for any consultations that will help the FCC engage Native American stakeholders in any critical policy decisions.

Sincerely,



Tom O'Halleran
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 7, 2018

The Honorable Tom O'Halleran
U.S. House of Representatives
126 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman O'Halleran:

Thank you for your letter concerning recent changes to Tribal Lifeline support. Closing the digital divide—including on Tribal lands—is my top priority. As Chairman, I have visited Tribal communities, met with Tribal representatives (including the Navajo Nation), and participated in several official consultations. During these meetings and visits, I repeatedly heard that rural Tribal communities desperately need broadband investment. The Commission's recent changes to Tribal Lifeline support are designed to incentivize providers to deploy networks on rural Tribal lands and direct support to areas where it is needed most.

As you may know, many Tribes and Tribal organizations have weighed in with their support for the step we took in November, from the Affiliated Tribes of Northwest Indians in Oregon to the Coeur D'Alene Tribe in Idaho to the Sovereign Councils of Hawaiian Homelands Assembly to the Ohkay Owingeh in New Mexico to the Red Lake Band of Chippewa Indians in Minnesota to the Alatna Village Council in Alaska. In Arizona alone, we received comments supporting the proposal from the Navajo Nation Telecommunications Regulatory Commission, San Carlos Apache Telecommunications Utility, Inc., Smith Bagley, Inc., and Gila River Telecommunications, Inc. For example, as Gila River explained, "facilities-based carriers should receive the enhanced Lifeline support so they can continue to deploy, build, and maintain infrastructure on Tribal lands." It continued, "enhanced Lifeline can be part of promoting deployment to unserved Tribal areas while also providing an opportunity to increase adoption rates."¹ These commenters understand that a \$34.25-per-month subsidy is a significant sum that, when aggregated, can greatly improve a facilities-based provider's business case for building out broadband networks on rural Tribal lands.

I appreciate your interest in this matter and your willingness to serve as a liaison for additional Tribal consultations. Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai

¹ Letter from Gila River Telecommunications, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 17-287 et al., at 2 (filed Nov. 1, 2017).